

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CJ PRODUCTS LLC and ONTEL
PRODUCTS CORPORATION,

Plaintiffs,

-against-

ORDER OF
PRELIMINARY INJUNCTION
11-CV-0715 (RRM)(SMG)

SNUGGLY PLUSHEZ LLC and BERKANT
KEISKBAS,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge:

Pursuant to the separate Memorandum and Order issued this date, **THE COURT** **HEREBY ORDERS** that, during the pendency of this action, Defendants SNUGGLY PLUSHEZ LLC and BERKANT KEISKBAS, their agents, servants, employees, and all persons acting in concert with or under the direction of the defendants who receive actual notice of the injunction, are hereby PRELIMINARILY ENJOINED AND RESTRAINED from:

- (1) manufacturing, copying, distributing, or selling any plush toy substantially similar to products covered by the copyrighted designs: Lady Bug, VA-1-665-418; Panda, VA 1-679-223; Bumble Bee, VA 1-665-417; Penguin, VA-674-371; Bear, VA 1-715-257; Dolphin, VA 1-674-379; Frog, VA 1-674-372; Monkey, VA 1-674-374; (9) Duck, VA 1-715-275; and (10) Cow, VA 1-715-272, pending further order of this Court or a determination of the action;
- (2) Using PILLOW PETS™, MY PILLOW PETS®, IT'S A PILLOW, IT'S A PET, IT'S A PILLOW PET®, pillowpets.co, "authentic pillow pets" or any confusingly similar mark, or any colorable imitations thereof, as a trademark, service mark, trade name, domain name and website, Google AdWord or otherwise on tags, labels or packaging, in connection with the wholesale, retail and/or Internet sale of plush toys;

- (3) Using PILLOW PETS™, MY PILLOW PETS®, IT'S A PILLOW, IT'S A PET, IT'S A PILLOW PET®, or any confusingly similar mark, or any colorable imitations thereof, in any advertising, promotions, solicitations or Internet use (including, but not limited to, website, domain name, coupon, and/or social networks) for such wholesale, retail and/or Internet sale;
- (4) Using the terms "authentic," "original," "official," "As Seen On TV" or other similar confusing terms in connection with the wholesale, resale and/or Internet sale of Plushez plush toys;
- (5) Making any other false associations with Plaintiff or plaintiffs PILLOW PETS™, MY PILLOW PETS®, IT'S A PILLOW, IT'S A PET, IT'S A PILLOW PET®, products in connection with the wholesale, resale and/or Internet sale of Plushez plush toys;
- (6) Using third party reviews of PILLOW PETS™, MY PILLOW PETS®, IT'S A PILLOW, IT'S A PET, IT'S A PILLOW PET® products; AND
- (7) Destroying, mutilating, concealing altering, transferring, or otherwise disposing of, in any manner, any books, records, documents, emails, correspondence, brochures, manuals, or other documents of any kind relating to defendants' sale of plush toys in the possession custody or control of any of the defendants until further order of this Court;

AND IT IS FURTHER ORDERED that Pursuant to Rule 65(c) of the Federal Rules of Civil Procedure, plaintiff shall post security in the amount of \$100,000 on or prior to August 29, 2011 at 5:00 pm.

SO ORDERED.

Dated: Brooklyn, New York
August 22, 2011

Roslyn R. Mauskopf

ROSLYN R. MAUSKOPF
United States District Judge